

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1052**

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**Introduced by Assembly Member Garrick**

February 18, 2011

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~~An act to amend Section 23356 of the Business and Professions Code, relating to alcoholic beverages. An act relating to state property, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1052, as amended, Garrick. ~~Alcoholic beverages: licenses. State property: surplus.~~

(1) Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the director to dispose of a specified parcel of state property.

(2) The California Constitution provides that the proceeds from the sale of surplus state property be used to pay the principal and interest on bonds issued pursuant to the Economic Recovery Bond Act until the principal and interest on those bonds are fully paid, after which these proceeds are required to be deposited into the Special Fund for Economic Uncertainties. Existing statutory law similarly requires that the net proceeds received from any real property disposition be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund, until the bonds issued pursuant to the act are retired.

By increasing the amount transferred into a continuously appropriated fund, this bill would make an appropriation.

~~The Alcoholic Beverage Control Act authorizes the holder of a manufacturer's or a winegrower's license to, among other things, become a manufacturer or producer of the alcoholic beverage specified in the license.~~

~~This bill would make technical, nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. The Director of General Services may dispose of~~  
2     ~~all or any portion of the following parcel of real property pursuant~~  
3     ~~to Section 11011.1 of the Government Code:~~

4     ~~(a) Parcel 1, consisting of an approximately 6-acre portion of~~  
5     ~~the 18-acre parcel, known as the South Carlsbad State Beach,~~  
6     ~~located near El Arbor Drive and Manzano Drive, in Carlsbad,~~  
7     ~~San Diego County.~~

8     ~~SECTION 1. Section 23356 of the Business and Professions~~  
9     ~~Code is amended to read:~~

10    ~~23356. Any manufacturer's or winegrower's license authorizes~~  
11    ~~the person to whom it is issued to become a manufacturer or~~  
12    ~~producer of the alcoholic beverage specified in the license, and to~~  
13    ~~do any of the following:~~

14    ~~(a) Whether the alcoholic beverage is manufactured or produced~~  
15    ~~by him or her or any other person, to package, rectify, mix, flavor,~~  
16    ~~color, label, and export the alcoholic beverage specified in the~~  
17    ~~license.~~

18    ~~(b) To sell only those alcoholic beverages that are packaged by~~  
19    ~~or for him or her only to persons holding wholesaler's,~~  
20    ~~manufacturer's, winegrower's, manufacturer's agent's, or rectifier's~~  
21    ~~licenses authorizing the sale of those alcoholic beverages and to~~  
22    ~~persons who take delivery of those alcoholic beverages within this~~  
23    ~~state for delivery or use without the state.~~

24    ~~(c) To deal in warehouse receipts for the alcoholic beverage~~  
25    ~~specified in the license.~~